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ABSTRACT

A 13-member Presidential Task Force on Women's Rights and Responsibilities recommended that: (1) The President call a White House Conference and establish an Office of Women's Rights and Responsibilities, (2) The President send a message to Congress citing widespread discrimination against women, proposing legislation to remedy these inequalities, asserting Federal leadership, recommending prompt state action as a corollary, and calling upon the private sector to follow suit, (3) The President appoint more women to positions of top responsibility in all branches of the Federal government to achieve a more equitable ratio of men and women, and (4) The executive branch of the Federal government be as seriously concerned with sex discrimination as with race discrimination and with women in poverty as with men in poverty. (Author/SB)

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A MATTER OF SIMPLE JUSTICE

The Report of
The President's Task Force on
Women's Rights and Responsibilities

April 1970

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Women's Rights and Responsibilities

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Presidential Task Force On Women's Rights And Responsibilities

WASHINGTON, D.C. 20210

December 15, 1969.

The PRESIDENT,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: As President of the United States, committed to the principle of equal rights for all, your leadership can be crucial to the more than half our citizens who are women and who are now denied their full constitutional and legal rights.

The quality of life to which we aspire and the questioning at home and abroad of our commitment to the democratic ideal make it imperative that our nation utilize to the fullest the potential of all citizens.

Yet the research and deliberations of this Task Force reveal that the United States, as it approaches its 200th anniversary, lags behind other enlightened, and indeed some newly emerging, countries in the role ascribed to women.

Social attitudes are slow to change. So widespread and pervasive are discriminatory practices against women they have come to be regarded, more often than not, as normal. Unless there is clear indication of Administration concern at the highest level, it is unlikely that significant progress can be made in correcting ancient, entrenched injustices.

American women are increasingly aware and restive over the denial of equal opportunity, equal responsibility, even equal protection of the law. An abiding concern for home and children should not, in their view, cut them off from the freedom to choose the role in society to which their interest, education, and training entitle them.

Women do not seek special privileges. They do seek equal rights. They do wish to assume their full responsibilities.

Equality for women is unalterably linked to many broader questions of social justice. Inequities within our society serve to restrict the contribution of both sexes. We have witnessed a decade of rebellion during which black Americans fought for true equality. The battle still rages Nothing could demonstrate more dramatically the explosive potential of denying fulfillment as human beings to any segment of our society.

What this Task Force recommends is a national commitment to basic changes that will bring women into the mainstream of American life. Such a commitment, we believe, is necessary to healthy psychological, social, and economic growth of our society.

IV

The leader who makes possible a fairer and fuller contribution by women to the nation's destiny will reap dividends of productivity measurable in billions of dollars. He will command respect and loyalty beyond measure from those freed from second-class citizenship. He will reaffirm, at a time of renewed worldwide emphasis on human rights, America's fitness for leadership in the community of nations.

His task will not be easy, for he must inspire and persuade government and the private sector to abandon outmoded attitudes based on false premises.

Without such leadership there is danger of accelerating militancy or the kind of deadening apathy that stills progress and inhibits creativity.

Therefore, this Task Force recommends that the President:

1. Establish an Office of Women's Rights and Responsibilities, whose director would serve as a special assistant reporting directly to the President.
2. Call a White House conference on women's rights and responsibilities in 1970, the fiftieth anniversary of the ratification of the suffrage amendment and establishment of the Women's Bureau.
3. Send a message to the Congress citing the widespread discriminations against women, proposing legislation to remedy these inequities, asserting Federal leadership, recommending prompt State action as a corollary, and calling upon the private sector to follow suit.

   The message should recommend the following legislation necessary to ensure full legal equality for women:

   a. Passage of a joint resolution proposing the equal rights amendment to the Constitution.
   b. Amendment of Title VII of the Civil Rights Act of 1964 to (1) remove the burden of enforcement from the aggrieved individual by empowering the Equal Employment Opportunity Commission to enforce the law, and (2) extend coverage to State and local governments and to teachers.
   c. Amendment of Titles IV and IX of the Civil Rights Act of 1964 to authorize the Attorney General to aid women and parents of minor girls in suits seeking equal access to public education, and to require the Office of Education to make a survey concerning the lack of equal educational opportunities for individuals by reason of sex.
   d. Amendment of Title II of the Civil Rights Act of 1964 to prohibit discrimination because of sex in public accommodations.

e. Amendment of the Civil Rights Act of 1957 to extend the jurisdiction of the Civil Rights Commission to include denial of civil rights because of sex.
f. Amendment of the Fair Labor Standards Act to extend coverage of its equal pay provisions to executive, administrative, and professional employees.
g. Amendment of the Social Security Act to (1) provide benefits to husbands and widowers of disabled and deceased women workers under the same conditions as they are provided to wives and widows of men workers, and (2) provide more equitable retirement benefits for families with working wives.
h. Adoption of the liberalized provisions for child care in the family assistance plan and authorization of Federal aid for child care for families not covered by the family assistance plan.
i. Enactment of legislation to guarantee husbands and children of women employees of the Federal government the same fringe benefits provided for wives and children of male employees in those few areas where inequities still remain.
j. Amendment of the Internal Revenue Code to permit families in which both spouses are employed, families in which one spouse is disabled and the other employed, and families headed by single persons, to deduct from gross income as a business expense some reasonable amount paid to a housekeeper, nurse, or institution for care of children or disabled dependents.
k. Enactment of legislation authorizing Federal grants on a matching basis for financing State commissions on the status of women.

4. The executive branch of the Federal government should be as seriously concerned with sex discrimination as with race discrimination, and with women in poverty as with men in poverty.
Implementation of such a policy will require the following Cabinet-level actions:
   a. Immediate issuance by the Secretary of Labor of guidelines to carry out the prohibition against sex discrimination by government contractors, which was added to Executive Order 11246 in October 1967, became effective October 1968, but remains unimplemented.
   b. Establishment by the Secretary of Labor of priorities, as sensitive to sex discrimination as to race discrimination, for manpower training programs and in referral to training and employment.

c. Initiation by the Attorney General of legal actions in cases of sex discrimination under section 706(e) and 707 of the Civil Rights Act of 1964, and intervention or filing of amicus curiae briefs by the Attorney General in pending cases challenging the validity under the 5th and 14th amendments of laws involving disparities based on sex.

d. Establishment of a women's unit in the Office of Education to lead efforts to end discrimination in education because of sex.

e. Collection, tabulation, and publication of all economic and social data collected by the Federal government by sex as well as race.

f. Establishment of a high priority for training for household employment by the Secretary of Labor and the Secretary of Health, Education, and Welfare.

5. The President should appoint more women to positions of top responsibility in all branches of the Federal government, to achieve a more equitable ratio of men and women. Cabinet and agency heads should be directed to issue firm instructions that qualified women receive equal consideration in hiring and promotions.

Respectfully submitted,

Virginia R. Allan

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OCTOBER 1, 1969.

The White House

The President today announced the establishment of the Task Force on Women's Rights and Responsibilities, with Miss Virginia R. Allan, former President of the National Federation of Business & Professional Women's Clubs as the Chairman. The task force will review the present status of women in our society and recommend what might be done in the future to further advance their opportunities.

The members of the Task Force on Women's Rights and Responsibilities are:

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Office of Women's Rights and Responsibilities

It Is Recommended That the President Establish an Office of Women's Rights and Responsibilities, Whose Director Would Also Serve as a Special Assistant Reporting Directly to the President.

The goal of equality for women is tied to that of a better world for all. The Task Force strongly urges that this objective be given the visibility and priority of entrusting it to an official at the President's right hand.

There has been no individual or office at a sufficiently high level to assume effective overall responsibility for Federal legislative and executive action in the area of equal rights and responsibilities for women, or to set an example for State and local governments.

Establishment of this office in the White House with an adequate staff would offer concrete evidence that the President of the United States is committed to the urgent need for action and is assuming leadership.

The Director of the Office of Women's Rights and Responsibilities would coordinate recruitment and urge consideration of qualified women for policy-level Federal positions.

She would seek new ways to utilize the female sector for the national benefit and to engage women in the hard tasks, challenges, decisions, and experiences through which capabilities are stretched and leadership is developed.

As the President's representative she would seek to inform leaders of business, labor, education, religion, State and local governments, and the communications media on the nature and scope of the problem of sex discrimination, striving to enlist their support in working toward improvement.

She would chair the interdepartmental committee comprised of top level representatives of those departments and agencies with programs and functions significantly affecting women's rights and responsibilities.

The Interdepartmental Committee would review and coordinate Federal programs for the purpose of assessing their impact on women and girls and would recommend policies and programs to Federal agencies and to the President. It would oversee implementation of the President's program for equal opportunity in the Federal service.

She would serve as executive secretary of the advisory council on women's rights and responsibilities, which serves as a link and a clearinghouse between government and interested private groups. The Council should be comprised of men and women broadly representative of business, labor, education, women's organizations (youth and adult), and State commissions on the status of women.

The Task Force commends to this Office for early consideration a number of important problems, on which the task force did not make recommendations for lack of time or lack of jurisdiction. They are listed in Appendix A.

White House Conference on Women's Rights and Responsibilities

It Is Recommended That the President Call a White House Conference on Women's Rights and Responsibilities in 1970, the Fiftieth Anniversary of the Ratification of the Suffrage Amendment and Establishment of the Women's Bureau.

Major objectives would be to bring together a representative group of the Nation's men and women

- to encourage American women to participate more fully in American life and leadership; to create an awareness of their responsibilities as citizens;
- to examine present laws and mores that influence or determine the status of women;
- to educate women on a positive course of action for achieving equal rights and responsibilities.

The Director of the Office of Women's Rights and Responsibilities, with the advice of the Presidential Advisory Council referred to in Recommendation 1, would plan the structure and program of the conference.

Topics for discussion would include among others: education (including continuing education), counseling, abortion, childhood education and care, women in politics, employment, legal discrimination, volunteer careers, the creative women, women in tomorrow's world, consumer protection, and women as catalysts for peace.

A plan of this nature emphasizes positive action by the President and demonstrates a genuine awareness of the problems facing women. Coupled with corrective legislative action, it would be a deterrent to the radical liberation movements preaching revolution.

Message to Congress Proposing Legislation

It Is Recommended That the President Urge Passage of the Equal Rights Amendment to the Constitution.

The proposed Equal Rights Amendment reads as follows: "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

Passage of the so-called "Equal Rights Amendment" would impose upon women as many responsibilities as it would confer rights. The task force views this objective as desirable.

It is ironic that the basic rights women seek through this amendment are guaranteed all citizens under the Constitution. The applicability of the 5th and 14th amendments in parallel cases involving racial bias has been repeatedly tested and sustained, a process which has taken years and has cost millions of dollars.

The Supreme Court, however, has thus far not accorded the protection of those amendments to female citizens. It has upheld or refused to review laws and practices making discriminatory distinctions based on sex.

These include the practice of excluding women from State universities, a law requiring longer prison sentences for women than for men for the same offense, and a law prohibiting women from working as bartenders (but not in the less lucrative jobs as waitresses in bars).

At the State level there are numerous laws regulating marriage, guardianship, dependents, property ownership, independent business ownership, dower rights, and domicile, which clearly discriminate against women as autonomous, mature persons.

A number of discriminatory State laws have in the past four years been declared unconstitutional by the lower courts, but no case has reached the Supreme Court.

A constitutional amendment is needed to secure justice expeditiously and to avoid the time, expense, uncertainties, and practical difficulties of a case-by-case, State-by-State procedure.

Some effects of passage of the equal rights amendment:

> It would guarantee women and girls admission to publicly supported educational institutions under the same standards as men and boys, but it would also require women to assume equal responsibility for alimony and support of children (within their means, as is the standard applied to men). Women presently bear these responsibilities in some States, but not in all.
>
> It would require that women not be given automatic preference for custody of children in divorce suits. The welfare of the child would become the primary criterion in determining custody.
>
> It would require Federal, State, and local governments to grant women equal opp[illegible]unity in employment.
>
> It would rend[illegible] invalid any current State laws providing longer prison sentences for women than for men for the same offense.
>
> It would impose on women an obligation for military service. They would not be required to serve in functions for which they are not fitted, any more than men are so required.
>
> Once the equal rights amendment is ratified, the burden of proving the reasonableness of disparate treatment on the basis of sex would shift to the United States or the State. Presently the burden is on the aggrieved individuals to show unreasonableness.

The mere passing of the Amendment will not make unconstitutional any law which has as its basis a differential based on facts other than sex. It will, in the broad field of rights, eliminate discrimination. It would make unconstitutional legislation with disparate treatment based wholly or arbitrarily on sex.

Past opposition to the Equal Rights Amendment has been based to a considerable extent on the fact that it would invalidate State laws regulating the employment of women only. Since these laws are disappearing under the impact of Title VII of the Civil Rights Act of 1964 and State fair employment laws, opposition will be much less and may evaporate in the light of information developed at hearings.

The Equal Rights Amendment has been endorsed by Presidents Eisenhower, Kennedy, Johnson, and Nixon.

Title VII of the Civil Rights Act of 1964 Should Be Amended To:

Remove the burden of enforcement from the aggrieved individual by empowering the Equal Employment Opportunity Commission to enforce the law, and

Extend coverage to State and local governments and to teachers.

Title VII of the Civil Rights Act of 1964 has made significant gains in promoting nondiscriminatory practices in industry in hiring and promotions. However, the enforcement provisions of Title VII are inadequate. They place the main burden of enforcement on the individual complainant. The Equal Employment Opportunity Commission's authority is limited to conciliation efforts.

Less cooperation can be anticipated in arriving at a satisfactory resolution of a discrimination complaint when there is knowledge that the Commission's power is merely exhortative. Conciliation efforts have been unsuccessful in more than half the cases in which the Commission found that discrimination had occurred.

In addition, the Commission should be budgeted to provide an adequate staff of investigators, field officers, and other professionals to carry out its responsibilities.

Two bills in Congress would give the Commission enforcement powers. Both would relieve the individual complainant of the burden he now bears in most cases. The Administration bill (S. 2806) would confer upon the Commission the authority to institute enforcement actions in the Federal district courts. S. 2453 also removes the burden of enforcement from the complainant by providing an interim administration proceeding before it or an employer would have recourse to court action.

While the Task Force agreed that the Commission should have enforcement authority, most members were not prepared to choose between the two methods.

With respect to part 2 of the recommendation, Title VII exempts from coverage States and their political subdivisions [see subsection 701(a), (b), (c), and (h)].

Section 702 exempts educational institutions with respect to the employment of individuals to perform work connected with the educational activities of such institutions.

There seems no reason to exempt State and local governments. As representatives of all the people, they are under an obligation to provide equal employment opportunities.

There is gross discrimination against women in education. For example, few women are named school principals. In the school year

1966–67 75% of elementary school principals were men. In 1964–65 men held 96% of the junior high school principal positions while a survey of high school principals for the academic year 1963–64 showed 90% to be men.[1] There is a growing body of evidence of discrimination against women faculty in higher education.

Title IV and Title IX of the Civil Rights Act of 1964 Should Be Amended To Authorize the Attorney General to Aid Women and Parents of Minor Girls in Suits Seeking Equal Access to Public Education, and To Require the Office of Education To Make a Survey Concerning the Lack of Equal Educational Opportunities for Individuals by Reason of Sex.

Discrimination in education is one of the most damaging injustices women suffer. It denies them equal education and equal employment opportunity, contributing to a second class self image.

There have been enough individual instances and limited surveys publicized recently to make it apparent that substantial discrimination does exist. For example, until forced to do so by legal action, the New York City Board of Education did not admit girls to Stuyvesant High School,[2] a specialized high school for science with a national reputation for excellence. Legal action recently has forced the State of Virginia to admit women to the University College of Arts and Sciences at Charlottesville.[3]

Higher admission standards for women than for men are widespread in undergraduate schools and are even more discriminatory in graduate and professional schools. For this reason counselors and parents frequently guide young women into the "feminine" occupations without regard to interests, aptitudes and qualifications.

Only 5.9 percent of our law students and 8.3 percent of our medical students are women,[4] although according to the Office of Education women tend to do better than men on tests for admission to law and medical school.

Section 402 of Title IV, passed in 1964, required the Commissioner of Education to conduct a survey of the extent of discrimination because of race, religion, color, or national origin. Title IV should be amended

[1] Research Division, National Education Association.

[2] *De Rivera* v. *Fliedner,* Sup. Ct. N.Y. Civil Action, 00938–69. Resolved by administrative appeal.

[3] *Kirstein et al* v. *University of Virginia,* E. C. Va. Civil Action No. 22069–R.

[4] Executive Secretary, Association of American Law Schools, 1968. Association of American Medical Colleges, 1967.

to require a similar survey of discrimination because of sex, not only in practices with respect to students but also in employment of faculty and administration members.

Section 407 of Title IV authorizes the Attorney General to bring suits in behalf of persons denied equal protection of the laws by public school officials. It grants no new rights. While no case relating to sex discrimination in public education has yet reached the Supreme Court, discrimination based on sex in public education should be prohibited by the 14th amendment. The President's Commission on the Status of Women took this position in its 1963 report to the President.[5] Section 902 of the Civil Rights Act authorizes the Attorney General to intervene in cases of this kind after a suit is brought by private parties. Both section 407 and section 902 should be amended to add sex, and section 410 should be similarly amended.

Title II of the Civil Rights Act Should Be Amended To Prohibit Discrimination Because of Sex in Public Accommodations.

Title II of the Civil Rights Act of 1964 provides that "All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodations, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin."

Injunctive relief is provided for persons whose rights are violated, and the Attorney General is authorized to initiate suits in patterns or practice cases and to intervene in suits filed by individuals.

Discrimination because of sex is practiced primarily in restaurants and bars. While the Task Force does not consider this the most injurious discrimination against women today, it is wrong in principle.

The State of Pennsylvania and the City of Pittsburgh have amended their human rights legislation to prohibit discrimination because of sex in public accommodations.

The Task Force recommends amendment of sections 201(a) and 202 by adding "sex," between "religion" and "or."

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[5] President's Commission on the Status of Women, *American Women*, p. 45, 1963.

The Civil Rights Act of 1957 Should Be Amended To Extend the Jurisdiction of the Civil Rights Commission To Include Denial of Civil Rights Because of Sex.

The Civil Rights Commission is authorized by section 104 of the Civil Rights Act of 1957, as amended (42 U.S.C. 1975c) to

- study and collect information concerning legal developments which constitute a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice;
- appraise the laws and policies of the Federal government with respect to equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice;
- Serve as a national clearinghouse for civil rights information.

The Commission is also authorized to investigate deprivation of voting rights because of race, color, religion, or national origin; but this function is of little concern in sex discrimination since there is apparently no concerted effort to deprive women of their voting rights.

Deprivation of equal educational opportunity and enforcement of laws prohibiting sex discrimination in employment are of great concern, however. The hearings and reports of the Civil Rights Commission would help draw public attention to the extent to which equal protection of the laws is denied because of sex. A clearinghouse for civil rights information is also needed.

Perhaps the greatest deterrent to securing improvement in the legal status of women is the lack of public knowledge of the facts and the lack of a central information bank.

For example, laws in Connecticut and Pennsylvania requiring longer prison sentences for women than for men for the same offense were declared unconstitutional in 1968.[6] There is now no Federal organization with responsibility for exploring and publicizing the extent to which this and other inequalities in the criminal law and practice, such as those involving abortion, exist in the United States.

"Sex" should be inserted after "religion" wherever the word appears in section 104(a) of the Civil Rights Act of 1957, as amended, including paragraph (1) relating to voting rights. While there may be no problem with respect to voting rights, an overall pattern of prohibiting discrimination based on sex should be consistently sought.

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[6] *Daniels* v. *Pennsylvania,* 232A, 2d 252; *U.S. ex rel Robinson* v. *York,* 281 F. Supp. 8(D. Conn. 1958).

The Fair Labor Standards Act Should Be Amended To Extend Coverage of Its Equal Pay Provisions (i.e., the Equal Pay Act of 1963) to Executive, Administrative, and Professional Employees.

The original legislative proposal for an equal pay law, as drafted by the Labor Department, did not exempt executive, professional, and administrative employees. At no point in the legislative process was it proposed to make such an exemption.

When the Congress decided that the equal pay requirement should be administered by the Wage and Hour and Public Contracts Divisions of the Labor Department, the equal pay bill was made an amendment to the Fair Labor Standards Act which the Department administers. The exemptions of the Fair Labor Standards Act then automatically applied to the equal pay provisions. One exempt category covers executive, administrative, and professional employees.

Women in professional, executive, and administrative positions have the protection of Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment because of sex, as well as because of race, color, religion, or national origin. Title VII, however, does not permit a complainant's identity to be withheld from the employer, as it can be under the Fair Labor Standards Act.

This is particularly important to women who have achieved professional, executive, and administrative positions, which they are very reluctant to endanger. Such women do not have the protection against reprisal provided by union contracts. Furthermore, Title VII at present includes no enforcement authority for the administering agency.

Thirty-six thousand other women (and a few men) have been awarded $12.6 million in wages since the law went into effect in 1964, including $4.6 million awarded 16,000 employees in the 1969 fiscal year.[7]

It would be necessary to amend section 13 of the Fair Labor Standards Act (29 U.S.C. 213) so that this exemption of section 13 does not apply to section 6(d).

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[7] Unpublished figures from Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, 1969.

The Social Security Act Should Be Amended To:

Provide benefits to husbands and widowers of disabled and deceased women workers under the same conditions as they are provided to wives and widows of men workers, and

Provide more equitable retirement benefits for families with working wives.

The emergence of a new pattern of family economic interdependence has been accompanied by an awareness of inequities in the social security program as they apply to families where the wife works.

Under current law a wife or widow receives a benefit based on her husband's earnings without meeting any test of dependency. A husband or widower of a woman worker is entitled to a benefit only if he proves he receives one-half or more of his support from his wife.

The family protection provisions of the social security program were based on the sociological conditions and climate of the 1930's. In 1940, 14.7 percent of married women were in the labor force; in 1968 the percentage had increased to 38.3 percent. In these families the wives contributed on the average 26.6 percent of the family income. In 25.6 percent of such families, the wives contributed 40 percent or more of the family income. In most of the families where the wife was in the labor force, the husband's yearly income was below $7,000.[8] The percentage of two-income families is increasing and more and more frequently the family standard of living is based on two incomes.

The death or disablement of a wife in a two-income family will leave the husband with increased responsibility for the children and less income with which to meet the needs. With almost two-fifths of all husband-wife families following a new pattern of economic interdependence, it is time for the social security program to adapt to the new sociological conditions and climate. Changes to recognize the new-type family began with a series of amendments in 1950 which provide benefits to children of working women under the the same conditions as for children of working men.

[8] Unpublished data from Bureau of Labor Statistics, U.S. Department of Labor.

Social Security Act provisions for automatic benefits for wives of retiring male workers lead to a second type of inequity. In 1939, a benefit was provided for the wives of retiring men workers—on the assumption that the wives were dependent and it cost more for a family to live than for a single person. If the wife is entitled to a benefit based on her own earnings, she has to choose between the two. In 1950 this benefit was provided for dependent husbands of women workers. The benefit for wife or dependent husband is 50 percent of the worker's benefit with a maximum of $105 per month.

Thus a wife who has worked for many years and contributed to the social security system may receive no larger benefit than if she had never worked. For example, a wife who never worked under social security would get a wife's benefit of $105 at age 65 if her husband had the maximum average monthly earnings of $650. If the same wife had worked and paid contributions on average monthly earnings of $120, she would be entitled at age 65 to a benefit of $81.10, plus an additional wife's benefit of $23.90, for a total benefit of $105—the same as if she had not contributed to the social security system.[9]

The present provisions also result in situations where a retired couple who have both worked receive less in benefits than a couple where only the husband worked and had the same earnings as the combined earnings of the working couple. If, for example, only the husband had worked and had average earnings of $650 a month—$7,800 a year—the benefits paid to the couple at age 65 would be $323 ($218 to the husband and $105 to the wife). By contrast, if the husband and wife each had average earnings of $325 a month, or $3,900 a year—combined annual earnings of $7,800—their benefits will be lower—$134.30 each, or a total of $268.60.[10]

Proposals for giving greater recognition to working wives' social security contributions have been made by the Social Insurance and Taxes Committee of the President's Commission on the Status of Women [11]; by the Citizens' Advisory Council on the Status of Women [12]; and by Congresswoman Martha Griffiths in H.R. 841.

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[9] Citizens' Advisory Council on the Status of Women, *Report of Task Force on Social Insurance and Taxes,* p. 70, 1968.

[10] Ibid, p. 72.

[11] President's Commission on the Status of Women, *Report of Committee on Social Insurance and Taxes,* p. 36, 1963.

[12] See 8 above, p. 77.

The Administration Should Urge Congress To Adopt the Liberalized Provisions for Child Care Proposed in S. 2986 for Inclusion in the Social Security Act (Section 437 of Title IV). The Administration Should Also Support Authorization of Federal Aid for Child Care for Families Not Covered Under the Family Assistance Plan, With at Least a Modest Appropriation in 1970.

Lack of adequate child care facilities has been found to be a major deterrent to solution or even significant progress in providing greater education opportunities for children, reducing the welfare burden, giving greater dignity and self-respect to mothers on welfare, filling critical manpower needs in shortage occupations and providing real freedom of choice in life style for women.

Every Federal and State study of the status of women has referred to the necessity for expanding child care facilities.

Department of Labor manpower experts cite lack of child care as the most serious single barrier to job training or employment for low-income mothers.

Our national goal should be:

1. A system of well-run child care centers available to all pre-school children. Although priority would be given the needs of low-income working mothers, the facilities should be available to middle income mothers who wish to use them.
2. After-school activities for school-age children at all economic levels who require them.

The National Advisory Council on Economic Opportunity estimated this year that 700,000 migrant children need day care. Only 13,000 spaces are available.

The Council found that 1,373,000 economically deprived children could have benefited from participation in full-time Head Start programs. Only 213,000 spaces were funded this year.[13]

The Task Force endorses the Administration's plan for increasing facilities for care of pre-school and school age children, with priority for low-income and welfare families.

In addition, we recommend that the Administration support legislation to authorize Federal grants for developing child care facilities for families at all income levels, with at least a modest appropriation.

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[13] Office of Economic Opportunity, *Continuity and Change in Antipoverty Programs,* Second Report of National Advisory Council on Economic Opportunity, 1969.

The funds would be used to construct child care centers, expand existing care programs, renovate facilities, assist States in improving their licensing standards, train professional and sub-professional staff, research, food programs, and a comprehensive study of existing child care programs at Federal, State, and local levels.

H.R. 469 and H.R. 466 Should Be Enacted To Guarantee Husbands and Children of Women Employees of the Federal Government the Same Fringe Benefits Provided for Wives and Children of Male Employees in Those Few Areas Where Inequities Still Remain.

A number of the laws and regulations governing fringe benefits of Federal employees are, like the social security program, based on the assumption that a wife is dependent on her husband except in those few cases where he is unable to work when it is recognized that he may be dependent on her. The facts demonstrate that in the 38.3 percent [14] of all husband-wife families where the wife works, there is interdependency, and the dependency concepts applicable to the traditional family are not viable (see recommendation 3(g) for additional relevant facts).

Under the civil service and foreign service retirement systems, for example, the surviving husband of a deceased woman employee is not eligible for an annuity unless he is incapable of self-support because of physical or mental disability and has received more than half his support from the deceased woman [15] employee. The surviving spouse of a deceased male employee is automatically eligible for an annuity.

There are inequities in quarters' allowances for employees serving overseas and in eligibility free attendance at dependents' schools.

There are similar differences in treatment of military personnel.

To correct these inequities the Interdepartmental Committee on the Status of Women considered and endorsed H. R. 643 introduced by Congresswoman Griffiths in the 90th Congress. This bill had been drafted by the Civil Service Commission at the request of the Congresswoman.

H.R. 469 of the 91st Congress is identical to H.R. 643, and H.R. 466 would correct the same problems in the military personnel systems.

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[14] Unpublished data from the Bureau of Labor Statistics, U.S. Department of Labor.

[15] 5 U.S.C. 8341 and 22 U.S.C. 1082.

The Internal Revenue Code Should Be Amended To Permit Families in Which Both Spouses Are Employed, Families in Which One Spouse Is Disabled and the Other Employed, and Families Headed by Single Persons, To Deduct from Gross Income as a Business Expense Some Reasonable Amount Paid to a Housekeeper, Nurse, or Institution for Care of Children or Disabled Dependents.

This proposal differs from present provisions of law in the following respects:

The present deduction is a personal deduction from taxable income. It is of no benefit to the taxpayer for whom the standard deduction (now generally 10 percent of gross income up to a maximum of $1,000) is more advantageous than itemizing allowable deductions for charitable contributions, interest on mortgages and loans, medical expenses, taxes, and casualty losses. Taxpayers who are not homeowners are not likely to have enough personal deductions to exceed the standard allowance; therefore, they receive no, or a very reduced, benefit from a personal deduction. The Task Force believes it would be more equitable and more rational to deduct the expenses from gross income as a business expense.

Under present law a husband-wife family benefit from the deduction only if their income does not exceed $6,600 with one dependent or $6,900 with two or more dependents. The Task Force proposal eliminates this limitation on income. There is no income limitation on the single head of household, and there seems to be no good reason for limiting the deduction to low-income husband-wife families.

The present law does not permit single men with disabled dependents in their care (such as parents) to take this deduction although single women in the same situation are covered. The Task Force believes both should be covered.

The present law does not allow men or women with disabled spouses requiring care at home or in an institution to benefit from this deduction. Such a couple can deduct only expenses for care of "dependents," which by definition does not include spouses. This also seems irrational and inequitable and the Task Force believes that if care of the disabled spouse is necessary to enable the other spouse to be gainfully employed, the expenses of such care typically should be deductible to the same extent that expenses for care of "dependents" is deductible.

The existing law limits the deduction to $600 for one dependent and $900 for two or more. The Task Force finds that corrective action is needed, but additional economic data would be required to establish the level of deduction.

Legislation Should Be Proposed Authorizing Federal Grants on a Matching Basis for Financing State Commissions on the Status of Women.

Since 1962 every State, the District of Columbia, Puerto Rico, the Virgin Islands, and several cities have established commissions on the status of women. Although most were unfunded or inadequately funded, 38 commissions or successor bodies are still functioning. These 38 do not include women's divisions created by statute in Louisiana and New Jersey, which are not yet operational. The Governor of Ohio also has recently issued an executive order establishing a yet to be staffed women's unit in the State government. Other governors are committed to reactivating their State commissions.

In most of the States the commissions are still independent bodies. In a few States, a women's unit, usually with a citizens' advisory committee, has been established in a permanent part of the State structure—in the Governor's office, the Department of Human Rights, the Department of Community Affairs, the Employment Security Department, or the Labor Department.

Few commissions have received sufficient staff assistance or funds to carry out their programs as recommended in the *Handbook for State and City Commissions on the Status of Women,* prepared by members of the 1967 Midwest Regional Conference of State Commissions.[16] The need cited there include: a headquarters office with funds for a chairman or executive secretary, phone, files, postage, office supplies and equipment, transportation to meetings and conferences, surveys and pilot projects, and publication of reports.

Only seven of the commissions receive any regular State appropriations—Alaska, $5,000; California, $44,210; Illinois, $5,000; Kentucky, $25,000 (plus $15,000 grant for a research project); Maine, $2,000; Michigan, $11,500; and North Carolina, $3,000. The New York Women's Unit in the Office of the Governor is best staffed, having 11 salaried employees.

The many positive contributions of the commissions in a variety of fields are documented in progress reports of the Federal Interdepartmental Committee on the Status of Women and in reports of conferences of the commissions, all available from the U.S. Department of Labor, Women's Bureau.

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[16] University Extension, The University of Wisconsin, *Handbook for State Commissions on the Status of Women,* 1968. Available from Women's Bureau, U.S. Department of Labor.

Their durability under adverse circumstances and through changes in State administration further demonstrates that they are needed and useful. With the growth of commissions on university campuses, the State groups will have another function—to give technical assistance to the younger women and to see to it that the concerns of university commissions are effectively brought to the attention of the Governors and State legislatures.

The Task Force recommends that one of the first assignments of the Office of Women's Rights and Responsibilities be to develop a legislative proposal for Federal grants to State commissions and to State government units having the same functions. The grants should be made under standards that will encourage growth of university commissions.

Policy of Executive Branch Respecting Sex Discrimination

The Executive Branch of the Federal Government Should Be as Seriously Concerned With Sex Discrimination as Race Discrimination and With Women in Poverty as Men in Poverty.

The testimony and published data received by the Task Force indicate that long-established policies of Federal agencies base their efforts to alleviate poverty and discrimination on the assumption that race discrimination is more inflammatory than sex discrimination.

Sex bias takes a greater economic toll than racial bias. The median earnings of white men employed year-round full-time is $7,396, of Negro men $4,777, of white women $4,279, of Negro women $3,194. Women with some college education both white and Negro, earn less than Negro men with 8 years of education.[1]

Women head 1,723,000 impoverished families, Negro males head 820,000. One-quarter of all families headed by white women are in poverty. More than half of all headed by Negro women are in poverty. Less than a quarter of those headed by Negro males are in poverty. Seven percent of those headed by white males are in poverty.[2]

The unemployment rate is higher among women than men, among girls than boys. More Negro women are unemployed than Negro men, and almost as many white women as white men are unemployed (most women on welfare are not included in the unemployment figures—only those actually seeking employment.)[3]

Unrest, particularly among poor women and college girls, is mounting. Studies show that 39 percent of the rioters in Detroit were women and in Los Angeles 50 percent were women. The proportion of women

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[1] U.S. Department of Commerce, Bureau of the Census: CPR–60, No. 60, Table 11 and Table 4.

[2] U.S. Department of Commerce, Bureau of the Census: CPR–60, No. 55.

[3] U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Earnings*, Vol. 15, No. 7, January 1969, Table A–1.

among the arrestees was 10 and 13 percent, respectively.[4] Welfare mothers are using disruptive tactics to demand greater welfare payments. Radical women's groups, some with a philosophy similar to that of the Students for a Democratic Society are mushrooming on college campuses.

Essential justice requires the Federal government to give much greater attention to the elimination of sex discrimination and to the needs of women in poverty. The following specifications are recommended as a beginning.

The Secretary of Labor Should Immediately Issue Guidelines To Carry Out the Prohibition Against Sex Discrimination in Employment by Government Contractors, Which Was Added to Executive Order 11246 in October 1967, Became Effective October 1968, but Remains Unimplemented.

The first Presidential executive order prohibiting discrimination in employment by employers operating under Government contracts was issued in 1941. Each Administration has continued its existence in various ways. Organizations and women's groups have been on record supporting the inclusion of the word "sex" in this order since its inception. This pressure was persistent and it grew in numbers over the years.

The 1963 report of the President's Commission on the Status of Women took cognizance of this problem but recommended its correction by a separate executive order stating the principle of nondiscrimination but without the enforcement possible under the executive order covering other phases of discrimination.[5] A minority report was issued by a member of the Committee on Private Employment of the President's Commission on this recommendation.[6] The President never acted upon the recommendation.

The Commission also recommended:

> . . . appropriate Federal, State, and local officials in all branches of government should be urged to scrutinize carefully those laws, regulations, and practices which distinguish on the basis of sex to determine whether they are justifiable in the light of contemporary conditions and to the end of removing archaic standards which today operate as discriminatory.[7]

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[4] Fogelson and Hill, *Who Riots? A Study of Participation in 1967 Riots*, July 1968. Published in *Supplemental Studies for The National Advisory Commission on Civil Disorders*, p. 233.

[5] President's Commission on the Status of Women, *American Women*, p. 30, 1963.

[6] President's Commission on the Status of Women, *Report of the Committee on Private Employment*, 1963.

[7] President's Commission on the Status of Women, *American Women*, p. 45.

After Title VII of the Civil Rights Act of 1964 clearly established that sex discrimination in employment was contrary to public policy, the executive order on government contracts was revised and reissued on September 24, 1965, as Executive Order 11246 without prohibiting sex discrimination.

Not until two years later, after extensive concern had been expressed by women's groups and other organizations, was the order amended to prohibit sex bias. The effective date was October 17, 1968, one year after the date of issue, to permit the Labor Department adequate time for developing policy.

It was not until January 17, 1969, that *proposed* guidelines were issued, with interested persons allowed 30 days in which to comment. Many women's groups and organizations responded with impatient requests for immediate issuance. After some time oral hearings were scheduled for August 4, 5, and 6, 1969. Women's groups and organizations, ranging from radical to conservative, testified. All urged immediate implementation of the sex discrimination provision of Executive Order 11246.

It is imperative that revised and updated guidelines be issued immediately and the Executive Order vigorously enforced.

The Secretary of Labor Should Establish Priorities as Sensitive To Sex Discrimination as To Race Discrimination in Manpower Training Programs and in Referrals To Training and Employment.

A disadvantaged individual for manpower program purposes, "is a poor person who does not have suitable employment and who is either (1) a school dropout, (2) a member of a minority, (3) under 22 years of age, (4) 45 years of age or over, or (5) handicapped." [8]

Being female is not considered to be as much of a handicap as belonging to a minority group, despite economic data clearly indicating the contrary (see the economic data with recommendation 4).

The definition of "disadvantaged individual" would not include a white woman on welfare unless she were a school dropout, under 22 years of age, 45 years of age or over, or handicapped. This definition clearly needs to be revised to include all women who are poor and who do not have suitable employment.

In the on-the-job training programs conducted under the Manpower Development and Training Act only 31.7 percent of the 125,000 trainees

[8] U.S. Department of Labor, Manpower Administration Order 1–69 of January 16, 1969.

in fiscal year 1968 were women. The on-the-job training is particularly important because the placement rate is higher than for institutional training programs.[9]

In the JOBS (Job Opportunities in the Business Sector) program, only 24 percent of those hired were female. This program is for the disadvantaged only. As of November 1968, 54,000 employee-trainees were in projects funded by the Labor Department.[10]

Of the 33,000 enrollees in the Job Corps in June 1968, only 29 percent were female.[11]

Young men have the additional advantage of military training, with 100,000 below-standard young men receiving training every year, in addition to the training the military provides for poor young men who meet the normal standards.[12]

The Government's failure to accord a higher priority to training of women either in civilian or military programs is unjust and is socially very costly.

The number of unemployed young women, age 16 to 24, has risen from 268,000 in 1947 to 697,000 in 1968. (The unemployment rate for young women has increased while decreasing for young men in this age range.[13])

Without any question the growing number of families on Aid to Families with Dependent Children is related to the increase in unemployed young women. For many girls living in very poor or disorganized families, the inability to find a job means turning to prostitution or other crime—or having a child to get on welfare. Potential husbands do not earn enough to support an unemployed wife.

The stability of the low income family depends as much on training women for employment as it does on training men. Only through employment of both partners can such families move into the middle class.

The task force expects welfare rolls will continue to rise unless society takes more seriously the needs of disadvantaged girls and young women.

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[9] U.S. Department of Labor, *Statistics on Manpower: A Supplement to the Manpower Report of the President,* Tables F–2 and F–5, March 1969.

[10] U.S. Department of Labor, *Manpower Report of the President,* p. 94, January 1969.

[11] See footnote 9 above, Table F–15.

[12] See footnote 10, p. 119.

[13] See footnote 9 above, p. 18, Table A–12.

The Attorney General Should Initiate Legal Actions in Cases of Sex Discrimination Under Sections 706(e) and 707 of the Civil Rights Act of 1964, and Intervention or Filing of Amicus Curiae Briefs in Pending Cases Challenging the Validity Under the 5th and 14th Amendments of Laws Involving Disparities Based on Sex.

Although the Justice Department has participated in more than 40 cases of racial bias, it has not intervened in behalf of an individual discriminated against because of sex, except in one case on a procedural point.

The Justice Department, likewise, has not given aid in any case in which women are challenging the constitutionality of State laws discriminating on the basis of sex—with one exception *White* v. *Crook*.[14] in which race discrimination was also a factor.

A former Attorney General, who was a member of the 1963 President's Commission on the Status of Women, not only signed the commission's report but sponsored the following recommendation:

> Early and definitive court pronouncement, particularly by the U.S. Supreme Court, is urgently needed with regard to the validity under the 5th and 14th amendments of laws and official practices discriminating against women, to the end that the principle of equality become firmly established in constitutional doctrine.
>
> Accordingly, interested groups should give high priority to bringing under court review cases involving laws and practices which discriminate against women.[15]

Women will be skeptical of the Administration's commitment to equality as long as the Justice Department refuses to act.

The Commissioner of Education Should Establish a Women's Unit in His Office To Lead Efforts To End Discrimination in Education Because of Sex.

Discrimination in education is so widespread that we believe a special unit in the Office of the Commissioner is needed to focus public and agency attention on the facts and effects of discrimination against women in education.

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[14] 251 F. Supp. 401.

[15] President's Commission on the Status of Women, *American Women*, page 45, 1963.

The percentage of graduate degrees awarded women is lower than in 1930, when women received 40 percent of all masters degrees. They received 34 percent in 1966. Fifteen percent of doctors degrees in 1930 wen to women, but only 12 percent in 1966.[16] University commissions on the status of women organized by women students are surveying the numbers of women students and faculty members and finding strong evidence to support their personal observations. Other evidences of discrimination are stated under recommendation 3(c).

Functions of the unit should include the following:

- to collect data now available on the status of women and girls as students and as faculty and administration in secondary schools and schools of higher education and to plan and coordinate a survey to fill the gaps;
- to give technical assistance to State and university commissions on the status of women and to other organizations actively concerned with status of women in education;
- to invite such organizations as the Association of American University Professors, American Council on Education, Association of American Colleges, and the Association of Governing Boards of Colleges and Universities to cooperate in identifying and securing corrective action on discrimination against women as members of faculty and administration;
- to work with Federal, State, and local officials, with professional organizations, and with the Parent-Teachers Association to improve the quality of counseling of girls and women;
- to become a clearinghouse of information on women in education and counseling needs of women;
- to speak for the needs of disadvantaged girls within the educational community; to lead efforts to break down the legal and attitudinal barriers to all types of vocational training for girls; to encourage establishment of vocational training in household skills;
- to see to it that counseling institutes sponsored by the Office of Education include a substantial segment on the special counseling needs of women, needs growing out of societal attitudes and institutions that constrict the aspiration of girls and keep from them knowledge of the great choice of roles open to them;
- to find means of assuring that the financial needs of part-time students are given appropriate priority in allocation of money available for financial assistance.

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[16] Women's Bureau, U.S. Department of Labor *Fact Sheet on Trends in Educational Attainment of Women,* April 1968.

As a result of the testimony of numerous witnesses, which provided convincing evidence of discrimination against women as students and as faculty and which included many specific suggestions for governmental leadership action, the Task Force concluded that the Office of Education should have a women's unit, whose director would report to the Commissioner, to give leadership to public and private efforts to eliminate discrimination in education.

All Agencies of the Federal Government That Collect Economic or Social Data About Persons Should Collect, Tabulate, and Publish Results by Sex as Well as Race.

Government studies, publications and press releases frequently obscure the degree of economic handicap women suffer and its consequences. Sometimes results of studies are published for males only or for males and females combined. Sometimes the data are structured so as to ignore gross differences by sex.

For example, the Bureau of the Census published a summary of major highlights of the March 1969 Current Population Survey.[17] The following tables do not include data by sex: "Median Earnings in 1968 and 1967 by Occupation of Longest Job During Year—Civilian Males 14 Years Old and Over with Earnings" (page 5), "Persons Below the Poverty Level by Color: 1959–1968" (page 6), and "Percent Distribution by Years of School Completed for Persons 20 Years Old and Over" (page 9). A table on page 4 "Median Family Income of Negroes as a Percent of White Family Income" should have included median family income by race of families headed by women and families headed by men.

While later detailed publications will include data by sex and race, the summary will be the publication most useful to the general public. When its tables do not include sex breakdowns, one has to dig into a number of detailed publications in order to get the most basic kinds of data relating to sex discrimination.

Another example of ignoring the economic situation of women is "Welfare Reform Charts: 1969 Legislative Recommendations" published by the Department of Health, Education, and Welfare.[18] Although almost two-thirds of the adult poor are women and although a much higher pro-

[17] U.S. Department of Commerce, *Selected Characteristics of Persons and Families: March 1969,* Series P–20, No. 189, August 18, 1969.

[18] U.S. Department of Health, Education, and Welfare, *Welfare Reform Charts, 1969 Legislative Recommendations,* October 1969.

portion of those adults on welfare are women, the publication never mentions this fact or even uses the word "women."

One item in this publication reads "There are over one million families headed by fathers who are working full time and earning less than the average AFDC–UF payment for families without other income." The number of such families with women heads should have been given as well.

Although one of the key features of the proposed family assistance plan is a great expansion in day care centers to make it possible for mothers to get training and employment, there is no chart on day care and none relating to training and employment of women.

The Equal Employment Opportunity Commission, the agency charged with enforcement of legislation forbidding discrimination in employment, has published a three-volume report [19] based on a survey of numbers of persons employed in the private sector by industry, occupation, sex, and race. One can examine this whole report and never find a table or narrative statement that compares the employment situation for white men, Negro men, white women, Negro women. There are not even any tables comparing white women with white men or Negro women with Negro men.

The tables are all based on comparisons of minority men with white men, minority women with white women. The underlying assumption of this appears to be that sex differences in industry and occupational distribution of white men and white women are insignificant or perhaps that these differences do not result from discrimination. It is submitted that this assumption begs the question, because it is only from such facts that the discrimination if any can be spotted and then analyzed.

An analysis of the data by Princeton University, under a grant from the Commission and the Department of Labor, used an extraordinarily sophisticated and confusing methodology, which obscured sex discrimination in employment. Much emphasis is given this analysis in the report.

The Princeton group constructed "an index to show the relative standing of each racial group based on how many were employed in low- or high-paying occupations". [20] Actually they constructed two indexes—one for males and one for females. The "standing" of Anglo males was arbitrarily given a value of 100 and minority males were compared. In separate tables Anglo females were assigned an index of 100 and minority group females were compared with the Anglo females. This methodology

[19] Equal Employment Opportunity Commission, *Equal Employment Opportunity Report No. 1: Job Patterns for Minorities and Women*, 1968.

[20] Ibid, page 6 of Volume 1 of Equal Employment Opportunity Commission Report.

avoids acknowledging that in all earnings information, whether overall, by occupation, or by education, white women rank below Negro men and way below white men. For the report to be a proper foundation upon which to base an opinion the standing of Anglo females to Anglo males and minority males and of minority females to Anglo males and minority males should be set forth.

All statistics on employment published by any Federal agency should show breakdowns by race and sex for every factor analyzed. Study designs should be based on the principle that sex discrimination is illegal and immoral.

The Secretary of Labor and the Secretary of Health, Education, and Welfare Should Give Training for Household Employment a High Priority in Manpower Training.

Through the leadership of the Women's Bureau, a National Committee on Household Employment was established in 1965. Seven experimental and demonstration training programs have been funded in Alexandria, Virginia; Boston, Massachusetts; Chicago, Illinois; Manhattan, Kansas; Philadelphia, Pennsylvania; Pittsburgh, Pennsylvania; and New York, New York.

The following results are reported: improvement in the attitude and performance of workers and the regularity of their employment, increased wage potential, and better employee and employer attitudes and satisfaction. Employer training has been included in some programs and it is recommended for inclusion in all programs.

The Task Force recommends making such programs widely available under the Manpower Development and Training Act and the Vocational Education Act.

Funds should be earmarked by the Secretary of Labor from the national account (unallocated reserve) of the Manpower Development and Training Act budget.

The Committee establishing guidelines under the Cooperative Area Manpower Planning System (CAMPS) should be directed to give a high priority to such training.

State employment service offices should be required to give more attention to placement of household workers and determining manpower needs for household employment.

The Commissioner of Education should encourage the States to provide for training in household employment and home-related arts in their secondary and post-secondary training programs.

We recommend that consideration be given by curriculum planners in the Departments of Labor and Health, Education, and Welfare to including training in driving and home maintenance and upkeep, outside and inside. Elderly couples and individuals are an increasing market for household services, and need services of this kind, as do families with working mothers. Training in such skills would enable the employee to earn higher wages.

Equalization of Policy-Making Responsibility in the Federal Government

The President Should Appoint More Women to Positions of Top Responsibility in All Branches of the Federal Government, To Achieve a More Equitable Ratio of Men and Women. Cabinet and Agency Heads Should Be Directed To Issue Firm Instructions That Qualified Women Receive Equal Consideration in Hiring and Promotions.

Wise utilization of the Nation's human resources dictates that the responsibilities of leadership in America be distributed more equitably between our men and women citizens.

The United States has not capitalized fully on the skills, abilities, and special insights of women, particularly at the leadership level. When half the population is rendered virtually non-contributory in fashioning policy, the loss of balance and perspective is self-evident, tragic, and wasteful.

Shutting out any group stifles its urge to contribute, depresses its concept of self worth, and ultimately discourages the striving for excellence.

Where so large a proportion of citizens is involved, the damage to national pride and achievement can be far reaching and can call into question the Administration's basic fairness.

The present pace of appointments of women to high Federal positions should be accelerated, to reflect their numerical strength more realistically, and as an incentive and symbol of the Administration's commitment.

To do so, the President and his Cabinet should place stronger emphasis on appointments based on merit rather than sex, and wherever possible urge the private sector to follow suit.

(28)

In making appointments the "showcase" approach or tokenism should be avoided. Women should not be confined to the so-called distaff area but brought into the dynamics of policy development.

The existing bank of qualified women economists, lawyers, politicians, jurists, educators, scientists, physicians, writers, and administrators has the intellectual capacity to meet the most exacting demands.

Under present social and economic attitudes, relatively few of these professionals have been accorded the same public recognition as similarly qualified men, but they can and should be located.

The direction of a program staffed by volunteers often develops administrative and managerial skills of a high order.

For this reason standards and asumptions regarding the qualifications of women for high office should be reassessed with a view to capitalizing on these assets.

When the other recommendations in this report are implemented hopefully they will serve to reduce roadblocks now hampering women at lower levels, thus speeding an upward flow of talent and offering more choice to government talent scouts when women are sought for leadership roles.

Minority Views of Dorothy Haener on Extension of Fair Labor Standards Act

I am strongly of the opinion that this Task Force should have adopted the following recommendation:

> The Fair Labor Standards Act should be amended to extend its coverage, without exceptions, to every job within the reach of Federal authority. In particular, household workers and all other low-paid workers in the United States should be paid not less than the Federal minimum wage.

As recently as February 1968, an estimated 10 million workers in this country earned less than $1.60 an hour. Most of these workers were in agriculture, retail trade, and the services—particularly domestic service. Of the estimated 2.2 million employees in domestic service—the overwhelming majority of whom are women—86 percent, or more than 4 out of every 5 workers earned less than $1.00 an hour.

In considering the plight of these low-paid workers, it should be kept in mind that even in the case of persons covered by the Federal minimum wage of $1.60 an hour, an individual working full time, on the basis of a 40-hour week, earns only $3,328 a year.

These figures are well below the present poverty income level of $3,600 per year for a family of four as defined by the Department of Agriculture for "emergency or temporary use when funds are low." It would appear reasonable that the employer through adequate wages rather than the taxpayer should be expected to support the estimated 10,000,000 *working poor* who make less than $1.60 an hour. Even $1.60 an hour ($3,328 per year) is far below the $5,550 guaranteed income recommended for a family of four by President Nixon's recent White House Conference on Food, Nutrition, and Health.

The efforts of the Women's Bureau to give proper status and dignity to household employees through training and better working conditions would be aided greatly by coverage of employees under the Federal Fair Labor Standards Act. The lack of coverage under this and other labor standards legislation is one of the factors denying household employment appropriate dignity and status, as well as better pay and working conditions.

The Task Force cannot justify failure to take action on "lack of time or jurisdiction." The Task Force discussed on several occasions the question of Federal minimum wage. At least two recommendations were presented to the Task Force dealing with this question. A number of speakers in their presentations discussed minimum wage, and one speaker was specifically invited to speak to the Task Force on this subject.

The recommendations of the Task Force dealing with poverty make it self evident that the Task Force could not have made those recommendations without considering the problem of minimum wage. On a task force dealing with women's rights and responsibilities, it would seem one of the basic responsibilities is to speak for those who don't have a voice to speak for themselves.

I am of the firm opinion that the knowledge brought by the speakers, the discussions the Task Force had, and the knowledge generally available was fully sufficient for the task force to have taken a position.

In an effort to be reasonable in my proposed recommendation I did not include an increase in the minimum wage to $2.00 an hour.

Had I any anticipation at all that the Task Force would not adopt the recommendation, I would have included an increase in the minimum.

Comment of The Chairman Regarding Minority Statement

At many points in its deliberations, the Task Force did consider the massive problems of the "working poor". Several of the recommendations made in the report specifically attack certain of these problems. Extension of the Federal minimum wage to all workers is a complex matter of such pervasive effects throughout the national economy that the Task Force did not feel it was ready to make a specific recommendation without further intensive study.

APPENDIX A

Problems Commended for Early Consideration to Director, Office of Women's Rights and Responsibilities.

1. Extension of Federal Fair Labor Standards Act, particularly to household employees.
2. Methods of changing attitudes.
3. Abortion.
4. Social security benefits for women divorced after fewer than 20 years of marriage, for dependents of single persons, and for aged widows and widowers.
5. Civil service classification standards for "women's" occupations in the Federal service.
6. Deterrents to training of women employees of the Federal government.
7. Inequities in the unemployment insurance system.
8. Reemployment after childbirth and insurance against medical expenses and lack of income.

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